

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

UNITED STATES OF AMERICA,

No. CR 02-40076-1

Plaintiff,

## ORDER

V.

[Docket No. 446]

ALI SALEH SAAD

## Defendants.

10 Defendant Ali Saleh Saad was arrested in Dearborn, Michigan, on March 20, 2002. On  
11 October 19, 2004, he pled guilty to five counts of possession with intent to distribute  
12 pseudoephedrine. Docket No. 279. He pled to 120 months and three years supervised release on  
13 each count to run concurrent, and agreed to waive any objection to deportation. *See* Docket No.  
14 336. On May 27, 2008, the Court received a letter from Saad. *See* Docket No. 437. In it, he states  
15 he is awaiting a deportation hearing and needs his passport to comply with any deportation order.  
16 *Id.* He also indicates that despite repeated requests he has been unable to retrieve his passport from  
17 the government, which obtained it at the time of his arrest. *Id.* He thus seeks the Court's assistance  
18 in retrieving his passport. *Id.*

19        In response, on August 7, 2008, the Court ordered the government to file within 30 days of  
20 the date of entry of the Order, a statement identifying the location of Saad's passport and contact  
21 information for the person who held it. *See* Docket No. 438. On September 5, 2008, the  
22 government filed a statement indicating Saad's passport was in a secure evidence locker at 1500  
23 Broadway in Oakland, under the control of Ms. Carrie Hernandez, a seized property specialist for  
24 the Bureau of Immigration and Customs Enforcement (ICE), whose telephone number was (510)  
25 379-1319. *See* Docket No. 439.

26 On November 14, 2008, Saad filed a letter with the Court, alleging that Ms. Hernandez had  
27 told one of his relatives that she did not have his passport. *See* Docket No. 446. He thus requests  
28 the Court to order the government to locate his passport and send it to his family. *See id.* Court staff

1 contacted Ms. Hernandez<sup>1</sup> on November 2, 2008, who advised that she had told Saad's relatives that  
2 she had his passport but would not send it to them. The Court notes that Saad has not provided any  
3 legal authority or facts supporting an order transferring his passport from ICE to him. The Court  
4 thus declines to issue such an order.

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6 IT IS SO ORDERED.

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8 December 12, 2008

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*Saundra B Armstrong*  
Saundra Brown Armstrong  
United States District Judge

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<sup>1</sup> The contact telephone number, however, was not that previously provided by the government, but was (510) 267-3842.

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